

AMENDED IN ASSEMBLY APRIL 25, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2783

**Introduced by Assembly Members Eduardo Garcia, Eggman,
Cristina Garcia, and Gomez, and Steinorth**

February 19, 2016

An act to amend Section 75215 of the Public Resources Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 2783, as amended, Eduardo Garcia. Affordable Housing and Sustainable Communities Program.

Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law continuously appropriates 20% of the annual proceeds of the fund to the Affordable Housing and Sustainable Communities Program, administered by the Strategic Growth Council, to reduce greenhouse gas emissions through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support other related and coordinated public policy objectives. Existing law requires the council to develop guidelines and selection criteria for the program.

This bill would require the Strategic Growth Council to ~~revise~~ *consider revisions to* the guidelines and selection criteria with respect

to affordable housing projects that qualify under the program's rural innovation project area, ~~as specified.~~ *specified, and to provide a written explanation to the Assembly Committee on Housing and Community Development by March 1, 2017, if the council determines that it will not make the revisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 75215 of the Public Resources Code is
2 amended to read:

3 75215. (a) Prior to awarding funds under the program, the
4 council, in coordination with the member agencies and departments
5 of the council, the State Air Resources Board, and other state
6 entities, as needed, shall develop guidelines and selection criteria
7 for the implementation of the program.

8 (b) Prior to adoption of the guidelines and the selection criteria,
9 the council shall conduct at least two public workshops to receive
10 and consider public comments. One workshop shall be held at a
11 location in northern California and one workshop shall be held at
12 a location in southern California.

13 (c) The council shall publish the draft guidelines and selection
14 criteria on its Internet Web site at least 30 days prior to the public
15 meetings.

16 (d) In adopting the guidelines and selection criteria, the council
17 shall consider the comments from local governments, regional
18 agencies, and other stakeholders. The council shall conduct
19 outreach to disadvantaged communities to encourage comments
20 on the draft guidelines from those communities.

21 (e) (1) Program guidelines may be revised by the council to
22 reflect changes in program focus or need. Outreach to stakeholders
23 shall be conducted, pursuant to subdivisions (a), (b), (c), and (d),
24 before the council adopts changes to guidelines.

25 (2) The council shall ~~revise the guidelines and selection criteria~~
26 ~~initially adopted to include all of the following~~ *consider all of the*
27 *following changes to the guidelines and selection criteria* with
28 respect to affordable housing projects that qualify under the
29 program's rural innovation project area:

1 (A) Projects shall be allowed to build at nonmetropolitan density
2 requirements based on net density. The definition of “net density”
3 shall be revised to mean the total number of dwelling units per
4 acre of land to be developed for residential or mixed use, excluding
5 permanent streets, required drainage facilities, sidewalks, parks,
6 public rights-of-way, easements, encroachments, and dedicated
7 open space.

8 ~~(C)~~

9 (B) For projects that receive 4 percent low-income housing tax
10 credits, one hundred thousand dollars (\$100,000) per restricted
11 unit shall be added to the base amount for loan limit calculation
12 purposes.

13 ~~(D)~~

14 (C) Scoring shall be awarded based on the extent to which an
15 application demonstrates walkable corridors and incorporates
16 features that encourage bicycling, which will exist upon completion
17 of the project.

18 (3) *If the council determines that it will not revise the guidelines*
19 *and selection criteria consistent with paragraph (2), the council*
20 *shall provide a written explanation on or before March 1, 2017,*
21 *to the Assembly Committee on Housing and Community*
22 *Development as to why the revisions will not be adopted.*

23 (f) Upon the adoption of the guidelines and selection criteria,
24 the council shall, pursuant to Section 9795 of the Government
25 Code, submit copies of the guidelines to the fiscal and appropriate
26 policy committees of the Legislature.

27 (g) Chapter 3.5 (commencing with Section 11340) of Part 1 of
28 Division 3 of Title 2 of the Government Code does not apply to
29 the development and adoption of the guidelines and selection
30 criteria pursuant to this section.